

**ERIE COUNTY LEGISLATURE
MEETING NO. 19
OCTOBER 19, 2017**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Grant, who requested a moment of silence in honor of those who lost their lives due to military conflict, hurricanes, tornados, floods and forest fires.

The Pledge of Allegiance was led by Mr. Savage.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting 18 from 2017. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Honoring Nicole Dayka as the Erie County Legislature's Citizen of the Month for October 2017.

Item 6 – MR. LORIGO presented a resolution Congratulating Damion Hunter, Boy Scout Troop 138, on Achieving the Rank of Eagle Scout.

Item 7 – MR. LORIGO presented a resolution Honoring Clinton Elementary School on its 50th Anniversary and its Contributions to the Community.

Item 8 – MR. MILLS presented a resolution Honoring the Boston Free Library as it Celebrates 70 Years of Service to the Community.

Item 9 – MR. MORTON, MR. MILLS, MR. LORIGO, MS. DIXON, MR. HARDWICK, & MR. RATH presented a resolution Proclaiming August 3, 2017 as the 100th Anniversary of the New York Guard.

Item 10 – MR. MORTON presented a resolution Congratulating Frank Bednasz on his 100th Birthday.

Item 11 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating Nick Sinatra on Receiving the Entrepreneur Award from the Amherst Chamber of Commerce.

Item 12 – MR. RATH & MR. LOUGHRAN presented a resolution Loughran Congratulating Mary Wilson on Receiving the Woman of Distinction Award from the Amherst Chamber of Commerce.

Item 13 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating 43North on Receiving the Stewardship Award from the Amherst Chamber of Commerce.

Item 14 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating DENT Neurologic Institute on Receiving the Business of the Year Award from the Amherst Chamber of Commerce.

Item 15 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating Honeywell International Inc on Receiving the Innovation Award from the Amherst Chamber of Commerce.

Item 16 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating Independent Health Foundation on Receiving the Community Service Award from the Amherst Chamber of Commerce.

Item 17 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating the Reikart House on Receiving the Revitalization Award from the Amherst Chamber of Commerce.

Item 18 – MR. RATH & MR. LOUGHRAN presented a resolution Congratulating the Shatzel Group on Receiving the Hospitality Award from the Amherst Chamber of Commerce.

Item 19 – MR. RATH presented a resolution Celebrating Perry's Ice Cream's New "Let's Dough Buffalo!" Ice Cream, and the Effort to Support the Buffalo Sabres Foundation and Their Good Works Throughout the WNY Community.

Item 20 – MR. SAVAGE presented a resolution Honoring the Life of Beloved Mother and Volunteer Alicia M. Campbell.

MR. LORIGO moved for consideration of the above sixteen items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above sixteen items to include one miscellaneous resolution from MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE, and to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above seventeen items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 21 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 1 (Print #2) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLS directed that Local Law No. 5 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 27 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 28 – CHAIR MILLS directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLS directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 31 – CHAIR MILLS directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 32 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 33 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 34 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 35 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 207

October 12, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 15
------------------	--

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-16 (2017)
COUNTY EXECUTIVE

WHEREAS, the Health Foundation for Western and Central New York, (Health Foundation) an independent private foundation that serves 16 counties, develops, implements and evaluates sustainable programs with community partners that make a positive difference in the lives of thousands of older adults in the region; and

WHEREAS, the Erie County Department of Senior Services, in conjunction with the Pride Center of Western New York, Inc. (Pride Center), through UB Foundation Activities, Inc., submitted a competitive grant application to the Health Foundation for Aging by Design Planning to engage staff and older adults to learn about issues affecting LGBTQ seniors and develop solutions for the community; and

WHEREAS, the Health Foundation recently awarded the Department of Senior Services \$25,000 in Aging By Design Planning grant funds for the six month period October 1, 2017 to March 31, 2018; and

WHEREAS, the grant is 100% funded and does not require a local share; and

WHEREAS, the Department desires to contract, with the Pride Center at a cost not to exceed \$18,500, to promote and document the design planning process and develop project prototypes.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to enter into a contract with the Health Foundation to accept the \$25,000 of Aging by Design Planning grant funding for the period October 1, 2017 to March 31, 2018; and be it further

RESOLVED, the County Executive be and is hereby authorized to contract with the Pride Center, at a cost not to exceed \$18,500, to promote and document the design planning process and develop project prototypes; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts and amendments with the Health Foundation and the Pride Center to effectuate adjusted funding levels; and be it further

RESOLVED, that the budget for the 163ABD1718 grant, be established as follows:

Revenues		Initial Budget
Account	Description	
417060	Other Income Senior Services	\$25,000

Appropriations		Initial Budget
Account	Description	
510100	Out of Area Travel	\$500
516020	Professional Services & Fees	18,500
530000	Other Expenses	200
561410	Lab & Tech Equipment	1,840
916390	ID Senior Services Grant	<u>3,960</u>
	Total Appropriations	<u>\$25,000</u>

and be it further

RESOLVED, that, the Director of Budget and Management is hereby authorized to adjust the budget as required to comply with the Health Foundation's approved funding levels; and be it further.

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive Office, Division of Budget and Management, Comptroller's Office and the Department of Senior Services.
(6-0)

LYNNE M. DIXON
CHAIR

Item 36 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 208

October 12, 2017	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 9
------------------	--

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 17E-10 (2017)
COUNTY CLERK

WHEREAS, the Erie County Auto Bureau has occupied space at the Eastern Hills Mall, 4545 Transit Road, Clarence, New York since 2009; and

WHEREAS, the current lease expires December 31, 2017; and

WHEREAS, the County Clerk's Office has determined that the best course of action is to offer continued service to Auto Bureau customers by remaining at its current location in the Eastern Hills Mall.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into an agreement between the County of Erie and MDC Eastern Hills, LLC for the lease of approximately 2,110 square feet of space at the Eastern Hills Mall, 4545 Transit Road, Clarence, New York; and be it further

RESOLVED, that the County Auto Bureau's tenancy of the premises provided in this lease shall be at the rate of \$2,899.32 per year payable in equal monthly installments for a three-year term beginning January 1, 2018, with an option for one additional three-year term; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management, the County Attorney and the County Comptroller.
(6-0)

KEVIN R. HARDWICK
CHAIR

Item 37 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 209

October 12, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 15
------------------	---

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-2 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the Department of Environment and Planning GIS host and maintain GIS ERSI database; and

WHEREAS, as a result of this software and service, Erie County Department of Public Works will operate more efficiently as well as respond to NYS DEC and US EPA; and

WHEREAS, the Department of Public Works, Division of Highways, determined that Bergmann and Associates has the appropriate experience in design, construction management, technical services and implementation services utilizing the NYS OGS professional service contract; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to urgently respond to these cited County deficiencies with electronic processes and mapping, Legislature approval is required to enter into a contract with Bergmann and Associates to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with Bergmann and Associates for an amount not to exceed \$150,000 with funding from SAP B.11032 Environmental Compliance SPDES; and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Division of Purchase.
(6-0)

2. **COMM. 18E-13 (2017)**
COUNTY EXECUTIVE

WHEREAS, the Erie County Shoreline Trail Bethlehem Steel Project, Transportation Alternatives Program 2014, in the Cities of Buffalo and Lackawanna, Erie County, PIN 5761.04 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80.0% Federal funds and 20.0% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Final Engineering (Design V-VI) and Construction Phases of the Project, PIN 5761.04; and

WHEREAS, the total Final Design, ROW Acquisition and Construction Phases of the Project are estimated to be \$915,200, and the County is required to provide the local share portion of these Project Phases in the amount of \$183,040.

NOW, THEREFORE, BE IT

RESOLVED, the County Legislature of the County of Erie does hereby approve the Erie County Shoreline Trail Bethlehem Steel – Final Engineering (Design V-VI), ROW Acquisition and Construction Phases project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Final Engineering (Design Phase V-IV), ROW Acquisition and Construction phases of the Project or portions thereof; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal Shares of the cost of the project's Final Engineering (Design I-VI), ROW Acquisition and Construction phases exceeds the amount appropriated above, the County of Erie shall convene its County Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and with the New York State Department of Transportation providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid, the local share of Federal-Aid Eligible Project costs, and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County Executive is authorized to appropriate and make available \$183,040 to cover the local share cost of participation in the Final Engineering (Design V-VI), ROW Acquisition and Construction Phases of the Project, with said funds are available within the Erie

County Department of Environment and Planning Budget SAP Account A.13012, Bethlehem Steel Redevelopment; and be it further

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$732,160 from New York State and to increase the capital budget for A.13012 as follows:

<u>Revenue</u>	<u>Current Budget</u>	<u>Increase</u>	<u>New Budget</u>
Bond Proceeds – 475000/445070	\$1,900,000	\$ 0	\$1,900,000
<u>Federal Aid Funds- 414000</u>	<u>\$ 0</u>	<u>\$732,160</u>	<u>\$ 732,160</u>
Total Revenue	\$1,900,000	\$732,160	\$2,632,160
<u>Expense</u>			
Capital Projects Expense	<u>\$1,900,000</u>	<u>\$732,160</u>	<u>\$2,632,160</u>
Total Expense	\$1,900,000	\$732,160	\$2,632,160

and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Comptroller’s Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, this Resolution shall take effect immediately.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 38 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 210

October 12, 2017	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 12
------------------	---

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR SAVAGE.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

- a. COMM. 12E-18 (2017)
COMPTROLLER: “American Healthcare Act’s Fiscal Impact on Erie County”
(Chair’s Motion)
- b. COMM. 16E-16 (2017)
COMPTROLLER: “Performance Audit of the Cash Handling Process at the EC Golf Courses for Year Ended Dec. 31, 2016”
(Chair’s Motion)
- c. COMM. 16E-18 (2017)
COMPTROLLER: “Interim Financial Report for Six-Month Period Ended Jun. 30, 2017”
(Chair’s Motion)
- d. COMM. 17E-8 (2017)
COMPTROLLER: “Report on Bed Bugs at Erie County Facilities”
(Chair’s Motion)
- e. COMM. 17E-9 (2017)
COMPTROLLER: “Report on Erie County Industrial Development Agency Lower Income Housing Component Proposal”
(Chair’s Motion)
- f. COMM. 18E-8 (2017)
COMPTROLLER: “Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Jun., Jul. & Aug. 2017”
(Chair’s Motion)
- g. COMM. 18E-15 (2017)
COUNTY EXECUTIVE: “Response to Comptroller Regarding Report on Erie County Industrial Development Agency Lower Income Housing Component Proposal”
(Chair’s Motion)

2. COMM. 3D-6 (2017)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 217113 through 217153, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR 2017 Petition No. 217,113.00

 ASSESSOR Cancel \$7,859.53

S-B-L 335.14-1-16.1 535 W Main St 143801 SPRINGVILLE

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$7,859.53 Town/SpecialDist/School

Charge To : 143801 SPRINGVILLE \$7,859.53

 Relevy Village \$7,859.53 Village of SPRINGVILLE

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,114.00

 ASSESSOR Cancel \$640.58

S-B-L 211.13-1-15 7519 Valley Cir 142600 BOSTON

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$640.58 Town/SpecialDist/School

Charge To : 142600 BOSTON \$640.58

 Relevy School \$640.58 144801 HAMBURG

CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,115.00

 ASSESSOR Refund \$415.98

S-B-L 80.09-7-11 16 Dorchester Rd 142289 AMHERST

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$415.98 Town/SpecialDist/School

Charge To : 142289 AMHERST \$415.98

RPTL550(2): Incorrect sewer charge
Refund to be issued to Teawna Hemphill-Ashley

FISCAL YEAR 2017 Petition No. 217,116.00

 ASSESSOR Cancel \$1,220.00

S-B-L 255.00-1-42 9315 Sauer Rd 144000 EDEN

 Acct. No. 112 \$0.00 County

<u>Charge To :</u>	Acct. No. 132	\$1,220.00	Town/SpecialDist/School
	144000 EDEN		\$1,220.00
	Relevy School	\$1,220.00	144001 EDEN CENTRAL

RPTL550(2): Failed to apply exemption
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,117.00

 ASSESSOR Cancel \$1,700.08
S-B-L 153.20-2-91 30 Knoche Way 146089 ORCHARD PARK

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,700.08	Town/SpecialDist/School
	146089 ORCHARD PARK		\$1,700.08
	Relevy School	\$1,700.08	146001 ORCH PARK

CENTRAL

RPTL550(2): Duplicate entry
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,118.00

 ASSESSOR Cancel \$273.62
S-B-L 269.19-3-5 2051 Sherman Ave 145801 NORTH COLLINS

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$273.62	Town/SpecialDist/School
	145801 NORTH COLLINS		\$273.62
	Relevy School	\$273.62	145801 NORTH COLLINS

CENT

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,119.00

 ASSESSOR Cancel \$1,492.15
S-B-L 67.77-7-3 218 Parkhurst Blvd 146489 TONAWANDA

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,492.15	Town/SpecialDist/School
	146489 TONAWANDA		\$1,492.15
	Relevy School	\$1,492.15	146401 KEN-TON UNION

FREE

RPTL550(2): Exemption removed in error
New Tax bill to be issued

FISCAL YEAR	2017	Petition No.	217,120.00
	ASSESSOR	Cancel	\$673.75
S-B-L	24.16-4-3	125 Tracey Ln 144600	GRAND ISLAND
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$673.75 Town/SpecialDist/School
<u>Charge To :</u>	144600	GRAND ISLAND	\$673.75
	Relevy School		\$673.75 144601 GRND ISLN

CENTRAL

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR	2016	Petition No.	217,121.00
	ASSESSOR	Refund	\$1,668.52
S-B-L	56.20-5-9	480 Shetland Dr 142289	AMHERST
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,668.52 Town/SpecialDist/School
<u>Charge To :</u>	142289	AMHERST	\$1,668.52
	Relevy School		\$1,668.52 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply exemption
Refund to be issued to Francis J. Saad

FISCAL YEAR	2017	Petition No.	217,122.00
	ASSESSOR	Cancel	\$718.73
S-B-L	69.10-2-17.2/6G	600 Youngs Rd Uni 142289	AMHERST
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$718.73 Town/SpecialDist/School
<u>Charge To :</u>	142289	AMHERST	\$718.73
	Relevy School		\$718.73 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,123.00

 ASSESSOR Cancel \$731.52
S-B-L 80.10-9-51 158 Lamarck Dr 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$731.52 Town/SpecialDist/School
Charge To : 142289 AMHERST \$731.52
 Relevy School \$731.52 142201 AMHERST

CENTRAL

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,124.00

 ASSESSOR Cancel \$992.90
S-B-L 114.02-9-23 95 Croydon Dr 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$992.90 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$992.90
 Relevy School \$992.90 143007 DEPEW UNION-

CHEEK

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,125.00

 ASSESSOR Cancel \$1,181.04
S-B-L 92.18-5-53 156 Diane Dr 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,181.04 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$1,181.04
 Relevy School \$1,181.04 143002 CHEEK. UNION #2

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,126.00

ASSESSOR Cancel \$1,509.23
S-B-L 103.68-7-1.1 B St 143003 DEPEW

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,509.23 Town/SpecialDist/School
Charge To : 143003 DEPEW \$1,509.23

Relevy Village \$1,509.23 Village of DEPEW
Village Owned
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,127.00

ASSESSOR Cancel \$313.74
S-B-L 91.07-3-1 82 Ontario Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$313.74 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$313.74
Relevy School \$313.74 143002 CHEEK. UNION #2

RPTL550(2): Failed to apply exemption
New Tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,128.00

ASSESSOR Cancel \$755.94
S-B-L 114.11-2-17 VL Hitchcock Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$755.94 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$755.94
Relevy School \$755.94 143007 DEPEW UNION-

CHEEK

RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,129.00

ASSESSOR Cancel \$469.87
S-B-L 286.00-7-15.11 VL Quaker Rd 145889 NORTH COLLINS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$469.87 Town/SpecialDist/School

Charge To : 145889 NORTH COLLINS \$469.87
Relevy School \$469.87 145801 NORTH COLLINS
CENT

RPTL550(2): Duplicate entry
Delete parcel from the tax roll

FISCAL YEAR 2017 Petition No. 217,130.00

ASSESSOR Cancel \$648.77
S-B-L 96.00-6-39.12 VL Walden Ave 142089 ALDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$648.77 Town/SpecialDist/School
Charge To : 142089 ALDEN \$648.77
Relevy School \$648.77 142001 ALDEN CENTRAL

RPTL550(2): Duplicate entry
Delete parcel from the tax roll

FISCAL YEAR 2017 Petition No. 217,131.00

ASSESSOR Cancel \$590.55
S-B-L 108.11-1-5 1880 Crittenden Rd 142001 ALDEN

Acct. No. 112 \$0.00 County
Acct. No. 132 \$590.55 Town/SpecialDist/School
Charge To : 142001 ALDEN \$590.55
Relevy School \$590.55 142001 ALDEN CENTRAL

RPTL550(2): Failed to apply exemption
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,132.00

ASSESSOR Cancel \$2,195.52
S-B-L 125.09-18-1.1 VL French Rd 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,195.52 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$2,195.52
Relevy School \$2,195.52 146801 WEST SENECA
CENT

RPTL550(2): Duplicate entry

Delete parcel from the tax roll

FISCAL YEAR 2017 Petition No. 217,133.00

 ASSESSOR Cancel \$1,492.15
S-B-L 66.59-1-15 592 Highland Ave 146489 TONAWANDA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,492.15 Town/SpecialDist/School
Charge To : 146489 TONAWANDA \$1,492.15
 Relevy School \$1,492.15 146401 KEN-TON UNION

FREE

RPTL550(2): Removed exemptions in error
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,134.00

 ASSESSOR Cancel \$128.67
S-B-L 47.07-2-16.11/W2 20 Wesley Dr 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$128.67 Town/SpecialDist/School
Charge To : 145601 AKRON \$128.67
 Relevy School \$128.67 145601 AKRON CENTRAL

RPTL550(2): Failed to apply basic STAR exemption
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,135.00

 ASSESSOR Cancel \$923.60
S-B-L 56.11-5-10 666 Klien Rd 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$923.60 Town/SpecialDist/School
Charge To : 142289 AMHERST \$923.60
 Relevy School \$923.60 142203 WILLIAMSVILLE

CENT

RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,136.00

ASSESSOR Cancel \$388.12
S-B-L 266.17-2-10 10689 Erie Rd 142889 BRANT

Acct. No. 112 \$0.00 County
Acct. No. 132 \$388.12 Town/SpecialDist/School
Charge To : 142889 BRANT \$388.12
Relevy School \$388.12 144401 LAKE SHORE

CENTRAL

RPTL550(2): Failed to apply exemptions
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,137.00

ASSESSOR Cancel \$1,645.68
S-B-L 42.08-1-38 38 Twilight Ln 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,645.68 Town/SpecialDist/School
Charge To : 142289 AMHERST \$1,645.68
Relevy School \$1,645.68 142203 WILLIAMSVILLE

CENT

RPTL550(3): Property with foundation issues
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,138.00

ASSESSOR Cancel \$2,027.72
S-B-L 80.12-5-2 252 N Harvest St 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,027.72 Town/SpecialDist/School
Charge To : 142289 AMHERST \$2,027.72
Relevy School \$2,027.72 142203 WILLIAMSVILLE

CENT

RPTL550(2); Failed to apply exemptions
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,139.00

ASSESSOR Cancel \$95,981.82
S-B-L 28.13-2-50 2250 N French Rd 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$95,981.82	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$95,981.82	
	Relevy School	\$95,981.82	142203 WILLIAMSVILLE

CENT

RPTL550(2); PILOT agreement
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,140.00

 ASSESSOR Cancel \$5.84
S-B-L 115.06-1-24./A Como Park Blvd 145201 DEPEW

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$5.84	Town/SpecialDist/School
<u>Charge To :</u>	145201 DEPEW	\$5.84	
	Relevy School	\$5.84	143007 DEPEW UNION-

CHEEK

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,141.00

 ASSESSOR Cancel \$6.69
S-B-L 115.05-1-1.1/A 5201 S Transit Rd 145201 DEPEW

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$6.69	Town/SpecialDist/School
<u>Charge To :</u>	145201 DEPEW	\$6.69	
	Relevy School	\$6.69	143007 DEPEW UNION-

CHEEK

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,142.00

 ASSESSOR Cancel \$9.09
S-B-L 115.05-1-1.1/B 5201 S Transit Rd 145201 DEPEW

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$9.09	Town/SpecialDist/School

Charge To : 145201 DEPEW \$9.09
Relevy School \$9.09 143007 DEPEW UNION-
CHEEK

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,143.00

ASSESSOR Cancel \$6.51
S-B-L 115.01-1-2./A Como Park Blvd 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$6.51 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$6.51
Relevy School \$6.51 143007 DEPEW UNION-
CHEEK

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,144.00

ASSESSOR Cancel \$484.12
S-B-L 116.14-4-29 72 Michaels Walk 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$484.12 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$484.12
Relevy School \$484.12 145201 LANCASTER
CENTRAL

RPTL550(2); Failed to apply basic STAR
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,145.00

ASSESSOR Cancel \$2,118.74
S-B-L 218.00-2-3.112 13595 Sanders HI 145000 HOLLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,118.74 Town/SpecialDist/School
Charge To : 145000 HOLLAND \$2,118.74
Relevy School \$2,118.74 145001 HOLLAND
CENTRAL

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,146.00

 ASSESSOR Cancel \$150.49
S-B-L 196.06-5-12 100 Randall Terr 144803 HAMBURG

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$150.49 Town/SpecialDist/School
Charge To : 144803 HAMBURG \$150.49
 Relevy School \$150.49 144801 HAMBURG

CENTRAL

RPTL550(2); Failed to apply vet exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 217,147.00

 ASSESSOR Refund \$154.55
S-B-L 196.06-5-12 100 Randall Terr 144803 HAMBURG

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$154.55 Town/SpecialDist/School
Charge To : 144803 HAMBURG \$154.55
 Relevy School \$154.55 144801 HAMBURG

CENTRAL

RPTL550(2); Failed to apply vet exemption
Refund to be issued to Tom and Sandra Augustine

FISCAL YEAR 2017 Petition No. 217,148.00

 ASSESSOR Cancel \$5.50
S-B-L 159.18-1-10 VL Lakeshore Rd 144889 HAMBURG

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$5.50 Town/SpecialDist/School
Charge To : 144889 HAMBURG \$5.50
 Relevy School \$5.50 144804 FRONTIER

CENTRAL

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,149.00

 ASSESSOR Cancel \$5.50
S-B-L 159.18-1-9 Lakeshore Rd 144889 HAMBURG

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$5.50 Town/SpecialDist/School
Charge To : 144889 HAMBURG \$5.50
 Relevy School \$5.50 144804 FRONTIER

CENTRAL

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,150.00

 ASSESSOR Cancel \$358.67
S-B-L 47.07-2-16.11/D8 8 Danita Dr 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$358.67 Town/SpecialDist/School
Charge To : 145601 AKRON \$358.67
 Relevy School \$358.67 145601 AKRON CENTRAL

RPTL550(2); Failed to apply basic STAR
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,151.00

 ASSESSOR Cancel \$138.32
S-B-L 47.07-2-16.11/R5 5 Randy Dr 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$138.32 Town/SpecialDist/School
Charge To : 145601 AKRON \$138.32
 Relevy School \$138.32 145601 AKRON CENTRAL

RPTL550(2); Failed to apply basic STAR
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,152.00

 ASSESSOR Cancel \$14.48

S-B-L 20.03-2-15 Sandhill Rd 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$14.48	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$14.48	
	Relevy School	\$14.48	145601 AKRON CENTRAL

RPTL550(2); Wholly exempt
New tax bill to be issued

FISCAL YEAR Petition No. 217,153.00

 ASSESSOR Cancel \$386.47
S-B-L 323.00-2-22.11 9283 Middle Rd 143889 CONCORD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$386.47	Town/SpecialDist/School
<u>Charge To :</u>	143889 CONCORD	\$386.47	
	Relevy School	\$386.47	143801 SPRING-GRIFFITH

RPTL 550(2): Failed to apply Ag exemption
New tax bill to be issued.

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(5-0)

3. COMM. 16E-14 (2017)

COMPTROLLER

WHEREAS, the Erie County Comptroller's Office is in possession of 6 ledgers with detailed family and estate records from the 19th and 20th centuries, and

WHEREAS, the ledgers include:

- Securities Equity, Surrogate's Court, Erie County Treasurer's Office, Book 11
- Securities Equity, Surrogate's Court, Erie County Treasurer's Office, Book 19
- Securities Equity, Surrogate's Court, Erie County Treasurer's Office, Book 20
- Securities Equity, Surrogate's Court, Commissioner of Finance, Book 21
- Securities Equity, Surrogate's Court, Commissioner of Finance, Book 22
- Securities Equity, Surrogate's Court, Commissioner of Finance, Book 23

WHEREAS, the county is under no requirement to maintain these records in the Office of the Erie County Comptroller and they are all public records, and

WHEREAS, the Buffalo and Erie County Public Library System (BECPL) has had the opportunity to inspect the records and deem them of significant historical and genealogical value, and

WHEREAS, the BECPL maintains an expansive collection of genealogical records and would like to add these ledgers to their public collection, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Comptroller is authorized to enter into an agreement to permanently loan 8 ledgers to the Buffalo and Erie County Public Library System, and, be it further

RESOLVED, that said agreement shall include the following provisions:

- Ledgers will remain the property of the County of Erie
- Ledgers will be accessible to staff of the Erie County Comptroller
- Ability to recall the ledgers if necessary

And, be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to County Comptroller Stefan I. Mychajliw, Director of the Buffalo and Erie County Library System Mary Jean Jakubowski, Acting Erie County Clerk Peggy A. LaGree, and County Attorney Michael Siragusa.

(5-0)

**JOSEPH C. LORIGO
CHAIR**

Item 39 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 211

October 12, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 15
------------------	---

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR SAVAGE.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-5 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation and Forestry seeks authorization to grant an easement to National Fuel Gas Distribution Corporation; and

WHEREAS, National Fuel will install new gas pipelines at Grover Cleveland Golf Course;
and

WHEREAS, the new pipelines will reduce National Fuel's overall impact on Grover Cleveland Golf Course; and

WHEREAS, the construction will have minimal to no impact on the daily operations of the golf course.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive hereby authorizes the Department of Parks, Recreation & Forestry to grant an easement to the National Fuel Gas Distribution Corporation for the installation of new natural gas pipeline at Grover Cleveland Golf Course ; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Commissioner of the Department of Parks, Recreation and Forestry, Daniel J. Rizzo; and Assistant County Attorney Kristen M. Walder.
(5-0)

2. COMM. 18E-14 (2017)

COUNTY EXECUTIVE

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and

WHEREAS, notice of said Public Hearing shall be published at least once in the official County newspapers prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls be open for public inspection after October 1, 2017 in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, NY, at 6:00 p.m., local time, on November 1, 2017 for the purpose of meeting to hear and consider any objections which may be made to the 2017 Sewer District Assessment Rolls (2018 Levy) for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 23, 2017; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the County Comptroller and Gregory Kammer, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.

(5-0)

TED B. MORTON
CHAIR

Item 40 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212

October 12, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 16
------------------	--

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-10 (2017)

SHERIFF AS AMENDED

WHEREAS, the Sheriff's Division of Correctional Health needs to transfer funds for additional supplies, medication, and medical equipment for inmate care and medical record keeping; and

WHEREAS, additional paper is needed to produce and maintain mandatory health records, repair or replace medical equipment used during inmate examinations, purchase additional medications for inmates, and pay for inmate hospital stays at Erie County Medical Center and Sisters of Charity Hospital; and

WHEREAS, \$70,000.00 will be transferred to a professional services account to pay Westwood Pharmacy, RFP #1637VF, for additional prescription medication; and

WHEREAS, \$350,700.00 exist within the 2017 Medical Supply Account #505800.

NOW, THEREFORE BE IT

RESOLVED, that the Division of Budget and Management is hereby authorized to transfer \$350,700.00 from account #505800 Medical Supplies, 2017 Budget, to:

INCREASE

#505000 Office Supplies – \$2,000.00
#506200 Maintenance and Repair - \$1,700.00
#516020 Professional Services - \$275,000.00
#516050 Dept. Payments to ECMCC - \$20,000.00
#561410 Lab and Tech. Equipment - \$52,000.00

; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make the necessary transfers and to make any technical adjustments necessary to effectuate these transfers should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, that certified copies be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Office of the Comptroller, and the Office of the Sheriff for implementation.

(6-0)

2. COMM. 18E-17 (2017)

COUNTY EXECUTIVE

WHEREAS, Central Police Services assists law enforcement officials with criminal cases by providing analysis in the testing of drugs such as cocaine, prescription pills, methamphetamines, and more specifically opioids and fentanyl in opioids distributed locally, which is a major contributor to overdose deaths in Erie County and Western New York; and

WHEREAS, there is an immediate need to purchase a new Gas Chromatograph-Mass Spectrometer (GC-MS) instrument used to quickly identify these drugs since the current instrument, from 1998, stopped working; and

WHEREAS, immediate consideration is requested to purchase the GC-MS from Agilent Technologies, a leader in life sciences, diagnostics and applied chemical markets, so that drug analysis is not interrupted and a backlog in the analysis of law enforcement submissions does not occur; and

WHEREAS, Central Police requires authorization to transfer \$61,874 in available funds within the previously approved 2017 Central Police Services Budget, Funds Center 16500, Fund 110, from GL 559000 – County Share Grants to GL 561410 – Lab and Tech Equipment for the purchase of this equipment.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the Director of the Division of Budget and Management to transfer \$61,874 from GL 559000 to GL 561410 within the 2017 Operating Budget in Funds Center 16500, Fund 110; and be it further

RESOLVED, that authorization is hereby provided to for the issuance of a purchase order to Agilent Technologies, in the amount of \$61,874 for the purchase of a new Gas Chromatograph-Mass Spectrometer instrument to provide drug testing analysis; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive; the Division of Budget and Management; the office of the Comptroller; and the Department of Central Police Services, attention: Brian Speers.

(6-0)

EDWARD A. RATH III
CHAIR

LEGISLATOR RESOLUTIONS

Item 41 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213

RE: Reorganization of First District
Legislative Office Personal Services
Budget
(INTRO. 19-1)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR MILLER-WILLIAMS

WHEREAS, in order to better serve the residents of the First District of the Erie County Legislature, a reorganization is necessary of the Legislature's district office personal services budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby make the following technical budget adjustments to the Legislature's 2017 Adopted Departmental Budget, all of which can be effectuated while keeping within the Legislature's adopted appropriation for 2017:

DELETE one (1) Administrative Clerk (Legislature) Full-Time, JG 8, Position Number 51014053, effective October 14, 2017; and

REPLACE with one (1) Administrative Clerk Legislature (RPT), JG 8, and one (1) Administrative Clerk Legislature (PT), JG 8, to Fund Center 100, Cost Center 1005017 District Office Staff, and effective October 14, 2017; and be it further

RESOLVED, that the filling of the positions be in accordance with Erie County Budget Resolution Number 81, as well as all Personnel Department policies; and be it further

RESOLVED, that the Clerk of the Legislature is directed to forward certified copies of this resolution to the Director of the Division of Budget, Management & Finance and the Commissioner of the Department of Personnel.

Item 42 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 214

RE: Calling on Congress to Continue the

Federal Rehabilitation Tax Credit to
Ensure Progress in Erie County and
Across the Country
(INTRO. 19-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS SAVAGE, MILLS, LOUGHRAN,
MILLER-WILLIAMS, GRANT, RATH & HARDWICK**

WHEREAS, the Federal Rehabilitation Tax Credit, otherwise known as the Federal Historic Tax Credit, has been used for the renovation, revitalization, and maintenance of historic buildings in Erie County and across the country since its inception in 1976; and

WHEREAS, in that 40 year span, the credit has preserved and restored more than 42,000 buildings nationwide while generating over \$84 billion in economic development, according to the National Trust for Historic Preservation; and

WHEREAS, the success of the credit and its availability has allowed developers to handle their costs effectively by providing them with a 20% income tax credit for properties that will be used as office space, retail business, or housing; and

WHEREAS, not only do the tax credits help fund projects, they are crucial in attracting and enticing the capital and investment needed to get them off the ground and provide reassurance to private developers that they have support from the public sector; and

WHEREAS, the extensive influence of the Federal Historic Tax Credit may not be widely known, but public awareness does not change its necessity and success in fueling the region's resurgence and capacity to grow and develop. In total, sixty-five projects in Western New York have utilized the Federal Historic Tax Credit, which include the Crescendo Lofts, Tappo and Toutant restaurants, and various other apartment and loft building conversions and restorations; and

WHEREAS, in the City of Buffalo, notable buildings and structures the Federal Historic Tax Credit has assisted in restoring include The Hotel @ Lafayette, The Guaranty Building, and the Richardson Olmsted Campus. These buildings, and many others, have been brought to life by converting them in to residential and commercial use to unleash their potential beyond their aesthetic beauty and legacy; and

WHEREAS, recently, Congressional leaders have decided to exclude this important credit as a part of tax reform bills in both Chambers of Congress, which if allowed to pass as currently drafted would undoubtedly have an adverse effect on the development of the Western New York region and possibly end projects already underway; and

WHEREAS, the availability of this credit demonstrates the Federal Government's commitment to investing in its communities' infrastructure and well-being, and both parties should recognize the benefit of enhancing the aesthetic quality and beauty of neighborhoods, creating new jobs, increasing property values, and spurring overall economic growth; and

WHEREAS, the loss of the Federal Rehabilitation Tax Credit would be detrimental to Buffalo and Erie County's resurgence, and protecting this credit for it to continue being used by growing cities such as Buffalo is sound public policy and one that will prevent a mistake that would negatively affect our current generation and those yet to come.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body goes on record in strong support for the continuation of the Federal Rehabilitation Tax Credit, otherwise known as the Federal Historic Tax Credit, and calls on Congress to extend this necessary and vital economic development resource to continue growing and progressing Western New York; and be it further

RESOLVED, that certified copies of this resolution be sent to President Donald Trump, Senate Majority Leader Mitch McConnell (R-KY), Senate Minority Leader Charles Schumer (D-NY), Speaker of the House Paul Ryan (R-WI), Chair of the Committee on Ways and Means Kevin Brady (R-TX), Representative Brian Higgins (D-NY), Representative Chris Collins (R-NY), and any other party deemed necessary and proper.

Item 43 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 19-3 from LEGISLATOR MILLER-WILLIAMS. Supporting the Restoration of the Parent Facilitator Program in Buffalo Public School District.

Item 44 – CHAIR MILLS directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 19-4 from LEGISLATOR MORTON. Erie County Sales Tax Exemption for Heating Fuel.

Item 45 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 19-5 from LEGISLATOR BURKE. Amendment to the Rules of Order of the Erie County Legislature.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 46 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 18E-3. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 215

RE: EC Sewer District No. 2 - 2017 Increase
& Improvement of Facilities
(COMM. 18E-3, 2017)

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ERIE COUNTY SEWER DISTRICT NO. 2 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) October 5, 2017.

(Adopted) October 19, 2017.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 2 of the County of Erie, New York, has heretofore been established and

WHEREAS, the Board of Managers of Erie County Sewer District No. 2 has duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District which report and estimate of cost have been approved by the Board of Managers of Erie County Sewer District No. 2 on July 11, 2017 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of the District, consisting of the following projects: (i) improvements to the Big Sister Creek Water Resource Recovery Facility at the estimated maximum cost of \$800,000; (ii) improvements to the Sweetland Road Pumping Station and other pumping stations at the estimated maximum cost of \$1,500,000; and (iii) improvements to various collection system components at the estimated maximum cost of \$500,000; all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$2,800,000, to be apportioned in accordance with applicable charges based on units, usage, assessed value and/or footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$13.28 cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$14.00 for calendar year 2017; and

WHEREAS, said County Legislature duly adopted Resolution No. 163 on July 27, 2017, calling a meeting of the County Legislature for the purpose of holding a public hearing on said increase and improvement of facilities in accordance with said report and estimate of cost; and

WHEREAS, such Resolution authorized and directed the Clerk of said County Legislature to publish the notice of public hearing and file a certified copy of such notice with the office of the State Comptroller; and

WHEREAS, said public hearing was duly held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on August 24, 2017, at 6:00 P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published and filed in the manner provided by law and proof thereof was submitted to said County Legislature; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to proceed with the expenditure for the increase and improvement of the facilities of Erie County Sewer District No. 2, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$2,800,000.

Section 2. The cost of the aforesaid increase and improvement of the facilities of the District is to be apportioned in accordance with applicable charges based on units, usage, assessed value and/or footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Section 3. This resolution shall take effect immediately.

MR. LORIGO moved to approve the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 47 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 18E-4. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 216

RE: EC Sewer District No. 3 - 2017 Increase
& Improvement of Facilities
(COMM. 18E-4, 2017)

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ERIE COUNTY SEWER DISTRICT NO. 3 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) October 5, 2017.
(Adopted) October 19, 2017.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 3 of the County of Erie, New York, has heretofore been established and

WHEREAS, the Board of Managers of Erie County Sewer District No. 3 has duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District which report and estimate of cost have been approved by the Board of Managers of Erie County Sewer District No. 3 on July 11, 2017 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of the District, consisting of improvements to the Southtowns Water Resource Recovery Facility, existing pumping stations, and the sanitary sewer collection system; as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$10,500,000, to be apportioned in accordance with applicable charges based on units, usage, assessed value and/or footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$13.73 cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$14.00 for calendar year 2017; and

WHEREAS, said County Legislature duly adopted Resolution No. 163 on July 27, 2017, calling a meeting of the County Legislature for the purpose of holding a public hearing on said increase and improvement of facilities in accordance with said report and estimate of cost; and

WHEREAS, such Resolution authorized and directed the Clerk of said County Legislature to publish the notice of public hearing and file a certified copy of such notice with the office of the State Comptroller; and

WHEREAS, said public hearing was duly held at the Chambers of the Erie County Legislature, in the Erie County Hall, in Buffalo, New York, in said County, on August 24, 2017, at 6:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published and filed in the manner provided by law and proof thereof was submitted to said County Legislature; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to proceed with the expenditure for the increase and

improvement of the facilities of Erie County Sewer District No. 3, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$10,500,000.

Section 2. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$10,500,000, to be apportioned in accordance with applicable charges based on units, usage, assessed value and/or footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Section 3. This resolution shall take effect immediately.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 48 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 18E-6. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 217

RE: Addendum to Comm. 23E-19 (2013):
Authorization to Utilize Various
Cooperative Agreement Contracts
(COMM. 18E-6, 2017)

WHEREAS, since 1953, political subdivisions in New York State, including Erie County, have used New York State Office of General Services (NYS OGS) contracts to purchase materials, equipment, supplies and services; and

WHEREAS, since the NYS OGS contract was established through a competitive bidding process, it met the competitive bidding requirements of General Municipal Law; and

WHEREAS, recent changes to NYS General Municipal Law authorizes political subdivisions, including Erie County, to make purchases through the use of contracts let by certain other governmental entities either to the lowest responsible bidder or on the basis of "Best Value", in a manner consistent with General Municipal Law 103, in addition to the NYS OGS contract; and

WHEREAS, the Division of Purchase has investigated the opportunities afforded by this legislation and has determined that it would be advantageous for Erie County to utilize additional cooperative agreement contracts when purchasing materials, equipment, supplies and services; and

WHEREAS, the Division of Purchase has identified an additional cooperative purchasing agency, the PEPPM Technology Bidding and Purchasing Program (PEPPM), to be included with the others approved by the Legislature within Resolution COMM. 23E-19 (2013).

NOW, THEREFORE, BE IT

RESOLVED, the Division of Purchase is hereby authorized to utilize the additional cooperative purchasing agency, the PEPPM Technology Bidding and Purchasing Program (PEPPM), and be it further

RESOLVED, that the provisions of Section 19.08 of the Erie County Administrative Code are hereby waived as it relates to the services procured by the Division of Purchase through contracts chosen from the additional cooperative procurement agency, the PEPPM Technology Bidding and Purchasing Program (PEPPM),

RESOLVED, RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Information and Support Services and Director of Purchase.

MR. LORIGO moved to approve the item. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 49 – MR. LORIGO moved to send to send the following item to committee for further consideration. MR. MORTON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO and MR. MORTON. NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, CHAIR MILLS and MR. RATH. (AYES: 4; NOES: 7)

FAILED.

MR. SAVAGE presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

MR. LORIGO moved to enter the Legislature into a five minute recess. MR. RATH seconded.

CHAIR MILLS directed that the Legislature enter into recess 2:15 p.m.

CHAIR MILLS reconvened the Legislature at 2:20 p.m.

All members present.

CHAIR MILLS moved the previous question, and directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MR. HARDWICK, CHAIR MILLS and MR. RATH. NOES: MS. DIXON, MR. LORIGO and MR. MORTON. (AYES: 8; NOES: 3)

CARRIED.

RESOLUTION NO. 218

RE: Continued Imposition of Additional 1% and Additional 0.75% Sales and Compensating Use Tax for Period Ending Nov. 30, 2020 (COMM. 19E-1)

RESOLUTION
of the

Legislature of Erie County, amending the Erie County Sales and Use Tax Resolution which imposes taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms, admission charges and club dues, pursuant to Article 29 of the Tax Law of the State of New York, to continue the imposition of the additional 1% rate of tax and the additional $\frac{3}{4}$ % rate of tax, pursuant to Article 29 of the New York Tax Law.

Be it enacted by the Legislature of the County of Erie, as follows:

Section 1. The first sentence of section two of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax. On and after March first, nineteen hundred eighty-nine, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March first, nineteen hundred eighty-nine and ending November thirtieth, two thousand [seventeen,] twenty, there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivisions (h) and (i) of section three of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, are amended to read as follows:

(h) With respect to the additional tax of 1 percent imposed for the period commencing March 1, 1989, and ending November 30, two thousand [seventeen] twenty, the provisions of subdivisions (a), (b), (c), (d), (e), (f) and (g) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (d) and (e) to an effective date shall be read as referring to March 1, 1989, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1988, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1989.

Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1989, any transaction which may not be subject to the additional tax imposed effective on that date.

(i) The taxes imposed under subdivisions (a), (c) and (d) of Section 2 shall be paid at the rate of 3 percent upon all sales made and services rendered on or after December first, two thousand [fifteen] seventeen. With respect to the tax rate of 3 percent effective December first, two thousand [fifteen] seventeen, the provisions of subdivisions (b), (c), (d), (e) and (f) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (b), (c), (d) and (e) to an effective date shall be read as referring to December first, two thousand [fifteen] seventeen, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November thirtieth, two thousand [fifteen] seventeen. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December first, two thousand [fifteen] seventeen, any transaction which may not be subject to the lowered tax rate in effect on that date.

Section 3. Section four of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this resolution, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March first, nineteen hundred eighty-nine, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business, or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7), and (8) of subdivision (c) of section 2, (D) of any tangible personal property, however acquired, where not acquired for the purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section 2 have been performed, (E) of any telephone answering service described in subdivision (b) of section 2, and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [seventeen] twenty, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [seventeen] twenty, the

tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [seventeen] twenty, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [seventeen] twenty, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand [seventeen] twenty, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or creator shall not be deemed a taxable use by such person.

Section 4. Section four-A of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

In addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2009 and ending November 30, two thousand[seventeen] twenty. Such additional taxes shall be identical

to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section; provided that net collections from such additional rate shall be set aside for county purposes as provided in subdivision (f) of section 14 of this resolution.

Section 5. Subdivisions (D) and (E) of clause (1) of section 11 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, are amended to read as follows:

(D) With respect to the additional tax of one percent imposed by section 4 of this resolution for the period beginning March first, nineteen hundred eighty-nine, and ending November thirtieth, two thousand [seventeen] twenty, in respect to the use of property used by the purchaser in this County prior to March first, nineteen hundred eighty-nine.

(E) With respect to the additional tax of three-quarters of one percent imposed by section 4-A of this resolution, for the period beginning December 1, 2009 and ending November 30, two thousand [seventeen] twenty, in respect to the use of property used by the purchaser in this county prior to January 15, 2006.

Section 6. Subdivision (f) of section 14 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

(f) Net collections from the additional three-quarters of one percent rate of taxes imposed during the period commencing December 1, 2009 and ending November 30, two thousand [seventeen] twenty, by section 4-A of this resolution received by the county shall be used by the county solely for county purposes and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law.

Section 7. Subdivision (g) of section 14 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

(g) The County shall allocate each calendar year the first twelve million five hundred thousand dollars (\$12,500,000) of the net collections from the additional one percent rate of sales and compensating use taxes imposed during the period commencing December 1, [2015] 2017, and ending November 30, [2017] 2020, by sections 2 and 4 of this resolution to the cities of the County and the area in the County outside the cities and such net collections shall be applied or distributed in the same manner and proportion as the net collections for such cities and area are applied or distributed under the revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law in effect on January 1, 2006, and shall be subject to

all provisions of such agreement governing the net collections for such cities and area, and the County shall retain the remainder of net collections from such additional one percent rate which shall be used by the County for any County purpose and such remainder shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law.

Section 9. This enactment shall take effect December first, two thousand seventeen.

FROM THE DISTRICT ATTORNEY

Item 50 – MR. LORIGO presented the following resolution and moved for consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 219

RE: Asset Forfeiture Appropriations
(COMM. 19E-2)

MR. LORIGO moved to amend the item. MR. RATH seconded.

INSERT THE FOLLOWING:

WHEREAS, pursuant to 21 U.S.C. § 881(e) and 19 U.S.C. § 1616 the US Department of Justice’s guidelines for expenditure of seized assets allows for the transfer of monies to non-profit agencies whose missions are consistent with those of a law enforcement effort, policy, and/or initiative up to \$25,000 annually, and

WHEREAS, the Erie County District Attorney’s Office has identified various organizations as a valuable agency which aids law enforcement efforts and which meet the criteria necessary to receive said monies, and

WHEREAS, the source of funds for the above mentioned items will be paid from the District Attorney’s asset forfeiture proceeds, and it is necessary to transfer funds from the Erie County District Attorney’s Asset Forfeiture Trust Fund prior to their being expended.

NOW, THEREFORE BE IT

RESOLVED, that \$25,000 in available balances in the Erie County District Attorney’s Assets Forfeiture Trust Fund are hereby transferred to the District Attorney’s Assets Forfeiture Program, Funded Program “SAFDA”, and be it further

RESOLVED, that the following appropriations are hereby authorized:

DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM
BUSINESS AREA: 114 COST CENTER: 1140010
FUNDED PROGRAM /WBS ELEMENT: SAFDA

Revenue

421550 Forfeiture Crime Proceeds	<u>\$ 25,000</u>
Total Revenue	<u>\$ 25,000</u>
<u>Appropriation</u>	
516010 Contract Payments – Non-Profit	<u>\$ 25,000</u>
Total Appropriations	<u>\$ 25,000</u>

and be it further,

RESOLVED, that the Erie County Legislature hereby authorizes one-time direct payments of five thousand dollars (\$5,000) each to Greater Buffalo Metropolitan Crime Stoppers Inc.; Veterans One-stop Center of WNY Inc.; Boys and Girls Club of Buffalo Inc.; Boys and Girls Club of East Aurora; and King Urban Life Center Inc. to be paid from account 516010 Non-Profit Subsidy; and be it further

RESOLVED, that the Director of Budget and Finance is hereby authorized to adjust SAFDA budgets as necessary during the year in order for the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget and Management.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 51 – (COMM. 19E-3) Erie County Sewer District No. 3 - Engineer Term Agreement - Work Order AECOM-5

Received and filed.

Item 52 – (COMM. 19E-4) Agreement with NYSDOT & Award of Construction - Locally Administered Federal Aid Project for Bridge Washing (246 Bridges) - Various Towns

Item 53 – (COMM. 19E-5) Federal-Aid Highway Local Project Agreement with NYSDOT - Transportation Alternatives Program - Pedestrian & Bicycle Improvements (Phase II) - Elmwood Ave, Village of Kenmore

Item 54 – (COMM. 19E-6) Unified Court System - 2017-2018 Tenant Work Improvements - Family Court Building, Old County Hall, EC Court Building

The above three items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 55 – (COMM. 19E-7) EC Sewer District No. 2 - Big Sister Creek Water Resource Recovery Facility - Aeration System Replacement Project - Contract No. 96 Opening Bid

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 56 – (COMM. 19E-8) NYS Real Property Tax Law Section 458-b - Making the Cold War Veteran's Exemption Permanent for as Long as Such Veteran Remains a Qualifying Owner of Qualifying Property

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 57 – (COMM. 19E-9) Proposed 2018 Erie County Budget

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

FROM THE COMPTROLLER

Item 58 – (COMM. 19E-10) Report on 2018 Revenue and Expense Projections

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 59 – (COMM. 19E-11) Department of Health - Acceptance of a Performance Incentive Initiative Award

Item 60 – (COMM. 19E-12) Department of Health Medical Examiner's Office - Authorization to Contract with Forensic Pathologist Fee-for-Services

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 61 – (COMM. 19D-1) NYS DEC Documents Received

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 62 – (COMM. 19M-1) Oct.19, 2017 Board of Trustees Agenda

Received and filed.

ANNOUNCEMENTS

Item 63 – CHAIR MILLS announced the committee schedule for Oct. 26, 2017 has been distributed.

Item 64 – CHAIR MILLS announced the next regularly scheduled legislative session is Nov. 2, 2017.

MEMORIAL RESOLUTIONS

Item 65 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Police Officer Craig E. Lehner and Mary Ann E. Rooth.

Item 66 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of Doris Gray.

Item 67 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Joanne Berndt, Francis C. Kempf and Donna Sankey.

Item 68 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Police Officer Craig E. Lehner.

Item 69 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Alicia M. Campbell and Jeanette M. Main.

ADJOURNMENT

Item 70 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, November 2, 2017 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, November 2, 2017 at 2:00 p.m. Eastern Standard Time.

**KAREN M. McCARTHY
CLERK OF THE LEGISLATURE**